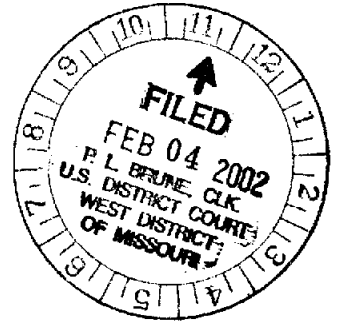


IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI



JOHN H. CRANDALL, #529202, )  
MOBERLY CORRECTIONAL CENTER, )  
MOBERLY, MISSOURI, 65270, )

Plaintiff, )

-VS- )

Case No. \_\_\_\_\_

STEVEN E. MOORE, SUPT. OF )  
WMCC; CRAIG SINGLETARY, )  
INVESTIGATOR AT WMCC; MAJOR )  
GRAY, WMCC; LEA PEMBERTON, )  
FUM, WMCC; C. BEAVA, FUM, )  
WMCC; DENIS H. AGNIEL, CHAIR, )  
MISSOURI BOARD OF PAROLE; )  
CRANSTON J. MITCHELL, MEMBER, )  
MISSOURI BOARD OF PAROLE; )  
FANNIE B. GAW, MEMBER, )  
MISSOURI BOARD OF PAROLE; )  
JANDRA D. CARTER, MEMBER, )  
MISSOURI BOARD OF PAROLE; )  
RICHARD D. LEE, MEMBER, )  
MISSOURI BOARD OF PAROLE; )  
DARREL D. ASHLOCK, MEMBER, )  
MISSOURI BOARD OF PAROLE, and )  
DONNA WHITE, MEMBER, MISSOURI )  
BOARD OF PAROLE, )

Defendants. )

JURY TRIAL DEMANDED

02 - 6009 - CV - SJ - 3 - P

CIVIL RIGHTS COMPLAINT  
WITH A JURY DEMAND

I. Complaint

1. Plaintiff, John H. Crandall, pro se, an inmate at Moberly Correctional Center, Moberly, Missouri, for his complaint states as follows: This is a 1983 action filed by John H. Crandall, alleging violations of his constitutional rights and seeking monetary damages, declaratory judgment, and injunctive relief. The plaintiff requests a jury trial.

## II. Jurisdiction and Venue; Parties

2. This action arises under, and is brought pursuant to 42 U.S.C. §1983 to remedy the deprivation, under color of state law, of rights guaranteed by the Fifth and the Fourteenth Amendments to the United States Constitution. This Court has jurisdiction over this action pursuant to 28 U.S.C. §1331. Plaintiff's claim for injunctive relief is authorized by 28 U.S.C. §§2283 and 2284, and Rule 65 of the Federal Rules of Civil Procedure. This cause of action arose in the Western District of Missouri, therefore, venue is proper under 28 U.S.C. §1391(b).

3. Plaintiff is presently confined in the Moberly Correctional Center, P.O. Box 7, Moberly, Missouri, 65270, but was confined at Western Missouri Correctional Center, Cameron, Missouri, at all times relevant herein.

4. Plaintiff is, and was at all times mentioned herein, an adult citizen, and a resident of the State of Missouri.

5. Defendant Steven E. Moore was at all times relevant herein employed as Superintendent of Western Missouri Correctional Center and is responsible for the operation and management of said institution; he is ultimately responsible for the approval and implementation of all institutional disciplinary proceedings and the training and supervision of the administrative personnel employed at Western Missouri Correctional Center; further he had personal, firsthand knowledge and involvement in the incidents described in this complaint, therefore no claim

of respondeat superior is made as to defendant Moore. He is sued in both his individual and official capacities.

6. Defendant Craig Singletary was at all times relevant herein an agent of defendant Moore, and was employed as an Investigator at Western Missouri Correctional Center. He was personally responsible for the collection of any and all evidence, statements, and other material pertinent to the conduct violation described in this complaint. He is sued in both his individual and official capacities.

7. Defendant Major Gray was at all times relevant herein an agent of defendant Moore, and was employed as Chief of Security of Western Missouri Correctional Center. He was personally responsible for the training of the correctional officers employed at said institution, and was responsible for the proper implementation of policies regarding searches of inmates. He is sued in both his individual and official capacities.

8. Defendant Lea Pemberton was at all times relevant herein an agent of defendant Moore, and was employed as Functioning Unit Manager at Western Missouri Correctional Center. She was the chairman of the hearing board when the original hearing was held against plaintiff on the conduct violation discussed in this complaint; it was defendant Pemberton who ordered that the disciplinary report be returned for re-write and re-interview due to technical error. She is sued in both her individual and official capacities.

9. Defendant Jessica Pierce was at all times relevant herein an agent of defendant Moore, and was employed as Functioning Unit Manager at Western Missouri Correctional Center. She was the chairman of the disciplinary hearing board that entered a finding of guilt on 9/10/99, with no substantial evidence, and after the report had been re-written twice. She is sued in both her individual and official capacities.

10. Defendant C. Beava (plaintiff is unsure of correct spelling of last name) was at all times relevant herein an agent of defendant Moore, and was employed as Acting Assistant Superintendent I at Western Missouri Correctional Center. She approved the action recommended by the disciplinary hearing board as it was submitted. She is sued in both her individual and official capacities.

11. Defendant Denis H. Agniel is employed by the State of Missouri as a member and Chairman of the Missouri Board of Probation and Parole. It is his ultimate responsibility to supervise and oversee the actions and decisions of the Missouri Board of Parole, and to assure that due process is afforded to each and every inmate appearing before the Board. He is sued in both his individual and official capacities.

12. Defendants Cranston J. Mitchel, Fannie B. Gaw, Jandra D. Carter, Richard D. Lee, Darrel B. Ashlock, and Donna White, are all employed by the State of Missouri as members of the Missouri Board of Probation and Parole. It is

their responsibility, after due process had, to determine whether to grant, deny, or revoke, parole release and/or supervised release, and to extend or leave as is, release dates granted to prisoners applying for parole consideration. They are sued in both their individual and official capacities.

### III. Previous Lawsuits By Plaintiff

13. Plaintiff has filed no other lawsuits dealing with the same facts involved in this action or otherwise relating to his imprisonment.

### IV. Exhaustion of Administrative Remedies

14. Plaintiff asserts that he has properly and timely exhausted his Administrative Remedies. (Please see attached Exhibit)

### V. Statement of Facts

15. On June 14, 1999, while assigned to a work release detail with two other inmates (all assigned to Western Missouri Correctional Center) at Sutherland's Lumber in Cameron, Missouri, plaintiff was arrested by Cameron Missouri City Police, Officer Rick Bashor, and charge with conspiring to introduce a CDS into a penal institution. This arrest was the result of the monitoring of certain telephone calls of inmates by employees of Western Missouri Correctional Center. Plaintiff's name was never mentioned in any of said phone calls, nor was there any other evidence of plaintiff's culpability, nor were there any drugs of any kind taken from plaintiff's

person, yet plaintiff, and not the other two inmates assigned to the work detail, was charged under Dekalb County Docket number CR600-682FX with the offense of Attempt to commit the offense of possession of a controlled substance. Plaintiff shows that these charges were subsequently dismissed after acquittal at trial by jury on September 13, 2001. (See attached Exhibit)

16. On June 14, 1999, defendant Singletary issued a conduct violation report against plaintiff charging him with Possession/Use of an Intoxicating Substance--Conspiring to Introduce Drugs into WMCC. This violation report was ordered to be re-written twice by the disciplinary hearing board before it was finally "acceptable" to be heard, because of "technical error."

17. On September 14, 1999, after two re-write of the violation report, the disciplinary hearing board found plaintiff guilty, and listed as the evidence relied on: "Inv. Singletary statement in the conduct violation that Officer Bashor felt a bulge around the waist area of inmate Crandall which was later identified as drugs. There was no mention of a written statement from Officer Bashor, and the lab report from the State Police on the articles found not on the plaintiff, but in the seat of a van in which there were two other inmates present, proved to not be drugs at all. (Please see attached Exhibits) Moreover, plaintiff was not allowed to call witnesses in his defense nor was he allowed to refute and statement,

of Officer Bashor, because none was present at the hearing. Further, the disciplinary hearing board listed as one of their recommendations, or punishments, that the plaintiff be referred to the institutional parole officer for possible extension of his release date, which had previously been set by the Parole Board, thereby rendering a "state created liberty interest." Plaintiff would assert that prisoners faced with revocation of good time credits (or other diminution of sentence) have a qualified due process right to call witnesses in their defense. Whitlock v. Johnson, 153 F.3d 380 (7thCir. 1998), and further, if a state has created the right to good time (or other diminution of sentence), a prisoner is entitled to that "liberty" and the state may not arbitrarily deny it. Wolff v. McDonnell, 418 U.S. 539, 41 L.Ed.2d 935, 94 S.Ct. 2963 (1974). In the instant case, the plaintiff had a "state created liberty interest" created when the Missouri Board of Probation and Parole, on June 16, 1998, granted him a release date of May 21, 2000. This date was later amended by the Board, as a result of this disciplinary hearing and finding of guilt on same, to February 21, 2002. (See attached Exhibits) The plaintiff would contend that the defendants herein have denied him his rights to due process as afforded by the Fifth and Fourteenth Amendments to the United States Constitution, in that the disciplinary hearing board denied him the right to call witnesses in his defense and failed to allow him

the opportunity to refute any statements, written or otherwise, of Officer Bashor by not having same present for the hearing. Further, the defendants have denied the plaintiff his due process rights by allowing the conduct violation report to be re-written twice prior to it being heard by the disciplinary hearing board, in order to assure that they would obtain a finding of guilt. This is entirely too many illegal "bites of the same apple."

18. On October 14, 1999, as a direct result of the finding of guilt on the conduct violation report, the Missouri Board of Probation and Parole, without benefit of informal hearing, and without substantial evidence, amended the previously set release date of plaintiff from May 21, 2000, to February 21, 2002. Plaintiff asserts that though a parole revocation does not call for the full panoply of rights due a defendant in a criminal proceeding, a parolee's liberty involves significant values within the protection of the Due Process Clause of the Fourteenth Amendment, and termination of that liberty requires an informal hearing to give assurance that the finding of a parole violation is based on verified facts to support the revocation. In the instant case, the Board relied entirely on the unsubstantiated allegations contained in the prison conduct violation report. Morrissey v. Brewer, 408 U.S. 471, 92 S.Ct. 2593, 33 L.Ed.2d 484 (1972) Further, plaintiff asserts that the Parole Board abused



its discretion in ruling that a single piece of hearsay evidence (the disciplinary report) established by a preponderance of the evidence that the plaintiff had engaged in new criminal conduct. Taylor v. U.S. Parole Commission, 734 F.2d. 1152 (6thCir. 1984) Moreover, state statutes, rules, and regulations can create a constitutionally protected liberty interest in parole, Patten v. North Dakota Parole Board, 783 F.2d. 140 (8thCir. 1986), and a parolee has liberty interest in parole and, thus, due process protections apply to parole revocation proceedings. Bennett v. Bogan, 66 F.3d. 812 (6thCir. 1995) Also, among due process requirements that must accompany revocation of parole is written statement by factfinders as to the evidence relied on and reasons for revoking parole. U.S. v. Sesma-Hernandez, 253 F.3d. 403 (9thCir. 2001) Plaintiff asserts and shows that the Parole Board, again, without benefit of hearing and without due process, extended his release date, and cited as its reasons for same: "File review, and there does not appear to be a reasonable probability that you would live and remain at liberty without again violating the law based upon the following: poor institutional adjustment." There was no written statement by factfinders, nor was an informal hearing held. The Board merely arbitrarily extended the release date of the plaintiff, and in doing so, violated plaintiff's constitutionally protected right to due process.

19. The defendants have failed to take corrective actions concerning the allegations contained in this complaint.

20. Plaintiff has suffered actual injury due to the actions of the defendants in that he has been forced to remain in physical custody some 21 months past the time he was originally scheduled to be released, thereby creating a false imprisonment. Plaintiff has further suffered actual injury in that he has been unconstitutionally deprived of the ability to work and earn a living for those same 21 months, and has therefore lost any monies he may have earned in that time.

#### VI. Statement of Claim

21. Plaintiff realleges and incorporates by reference, paragraphs 1-20 herein and further asserts that his Fifth and Fourteenth Amendment rights to due process were violated by the defendants herein when they first denied him due process in his disciplinary hearing, even though his freedom was in jeopardy, and again when the Parole Board arbitrarily extended his release date, without benefit of informal hearing or due process.

#### VII. Prayer for Relief

WHEREFORE PLAINTIFF PRAYS, that this Honorable Court grant the relief requested as follows:

A. Issue a declaratory judgment that the defendants violated the United States Constitution when they failed to afford plaintiff due process in the disciplinary hearing and in the extension of his parole release date.

B. Issue an injunction ordering the Missouri Department of Corrections to expunge the disciplinary report discussed in this complaint from his record, and ordering the Missouri Board of Probation and Parole to remove plaintiff from any further supervision.

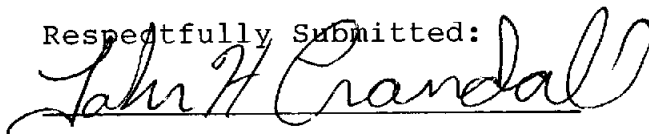
C. Grant compensatory damages in the amount of \$1,000.00 per day for each day past May 21, 2000 that plaintiff is held in custody.

D. Grant punitive damages against each defendant in the amount of \$5,000.00.

E. Grant such other relief as this Court may deem equitable and just.

Signed this 30 day of Jan., 2002.

Respectfully Submitted:



John H. Crandall

#### DECLARATION

I, John H. Crandall, plaintiff herein, declare under penalty of perjury, that the above and foregoing is true and correct to the best of my knowledge and belief.

Date: Jan. 30, 2002



John H. Crandall

December 26, 2001

Grievance Office  
Administration Bldg.  
MCC

Re: Grievance filed against WMCC

Dear Ms. Herrin:

As to the above referenced grievance, I would like to proceed to the next step. As per your letter to me, Central Office received the grievance on 11-14-2000. It has now been 42 days and I still have not received a response. Therefore, I would like to proceed to the next step, or if I am able legally, I would like to exhaust the matter in order to be able to put the matter in the hands of the Courts.

Thank you,



John H. Crandall #529202  
HU2B-420

cc: file

WMCC-01-1752  
John,  
I am sending you the second appeal form, however the Division is over the 30 day timeframe, therefore the courts do not require that you proceed. You can litigate at this point.  
Brendan

# DOCKET SHEET

Circuit Court DeKalb County, Missouri

© 1998 - Elkins-Spears Co., Springfield, Mo. - V-1179 - Form 169-PAT

File No.: CR600-682FX	STATE OF MISSOURI	J. Bartley Spear, Jr
Nature of Action:	Plaintiff or Petitioner	Atty. for Plaintiff or Petitioner
Possession of a Controlled Substance	vs.	David Miller
	JOHN H. CRANDALL	Atty. for Defendant or Respondent
	Defendant or Respondent	

DATE	Orders of Court
09 07 01	Per fax request, four subpoenas issued for Defense. pie

9 12 2001 The above matter was heard in the Circuit Court of DeKalb County Missouri before the Hon. Barbara J. Anderson, Judge. State appears by Prosecutor, Hon. J. Bartley Spear. Comes also the Defendant in person in the custody of Doc. with counsel Hon. David Miller and Hon. Jim Dunn. State files amended information. Defendant having reviewed same with counsel waives formal arraignment and announces ready for trial. State files Motion in Limine and the motion is heard. Court sustains paragraphs 1, 2, 3 & 4 of the Motion in Limine and for paragraph 5. Motion is sustained however Court will allow testimony as to any facts that occurs. State makes oral motion in Limine to prohibit argument of Defense on issue of punishment. Court takes same under advisement. Defendants make motion in Limine to prohibit State reference to two letters. Same is sustained based upon potential evidence of crimes not charged. Court 302.02 read to jury panel. Foreman examines Defendants Motion received at this moment in mail. Motion by Defendant withdrawn. Jury empaneled and sworn to try the case. Instructions 300.06, 302.01 and 302.02 read to jury. State opens. Defendant opens. State adduces evidence. Three subpoenaed State witnesses fail to appear, to wit Craig S. Sapp, Brook Montgomery and Jonathan Bulley. State unable to proceed dismisses at State cost. So Ordered. (File) ordered closed. Costs taxed to State. PD Judgment Entered of \$750 & copy given to Defendant. Defendant discharged & remanded to Doc.

Judgment Entered  
Barbara J. Anderson  
9/12/01



STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
**CONDUCT VIOLATION REPORT**

NAME OF INSTITUTION	DATE
WMCC	July 20, 1999

INMATE NAME	REGISTER NUMBER	ASSIGNMENT	H.U.
CRANDALL, John H.	529202	L27	LB225B

VIOLATION OF RULE  
#11--Possession/Use of an Intoxicating Substance--Conspiring to Introduce Drugs into WMCC

AT	TIME	DAY	DATE	PLACE
	8:50 <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	Monday	6-14-99	WMCC Off Site

THE FOLLOWING EVENTS OCCURRED  
While conducting routine phone monitoring on the DVL-2000 Voice Logger, a phone conversation was monitored between a Nicole and Griswold, Christopher #535305 and Susan Fulton and White, Clifford #520031 previously identified through conversations. They were discussing dropping off the drugs at Sutherland's in Cameron. The women were to place the drugs under the cardboard recycling bin and to grease it up good. The narcotics would be picked up by work release inmates on June 14, 1999.

Officer Rick Bashor arrived at the drop point and on the above date and approximate time apprehended the two inmates, John Crandall #529202 and William Groce #523665. Upon doing a pat search, Officer Bashor felt a bulge around the waist area of inmate Crandall which was later identified as the drugs. He immediately advised Investigator Singletary who contacted COII Brook Montemayor and COI Jonathan Pulley to come out and take custody of the two work release inmates and conduct a thorough search of them.

The above action places inmates Crandall #529202 and Groce #523665 in violation of Rule #11--Possession/Use of an Intoxicating Substance, Conspiring to Possess Drugs, Conspiring to Introduce Drugs into a Penal Institution (WMCC).

This violation has been held up pending the complete investigation.

NOTE: The drop point at Sutherland's parking lot where inmates Crandall and Groce were was under video surveillance by Cameron Police Department.

SIGNATURE OF REPORTING EMPLOYEE	PRINT NAME	TITLE
<i>Craig Singletary</i>	Craig Singletary 35184	INV II

- |  |   |
|--|---|
| 1. You have the right to written notice of the alleged violation prior to a hearing. | 4. Witnesses may be allowed.  |
| 2. You have the right to a hearing.  | 5. You have the right to the written findings and decision.                                       |
| 3. You may be allowed to present documentary evidence at the hearing.                | 6. You have the right to appeal the decision as set forth in IS8-2.1 Inmate Grievance Procedures. |

**REPORT OF JOINT INTERVIEW BY INTERVIEWING STAFF**

TIME	DATE
<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	

*Inmate Refused to Sign Waiver of Rights  
No Statement taken*

WITNESS REQUESTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF "YES", COMPLETE WITNESS REQUEST (MO 931-0259)	PRINT NAME OF INTERVIEWER AND TITLE <i>K. [Signature]</i>
I UNDERSTAND MY RIGHTS AND HAVE RECEIVED A COPY OF THIS CONDUCT VIOLATION REPORT.	
INMATE SIGNATURE <i>[Signature]</i>	SIGNATURE OF INTERVIEWER <i>[Signature]</i> 35184

MO 931-0395 (3-92)

DISTRIBUTION: WHITE - ATTACH TO DISCIPLINARY ACTION REPORT; CANARY - INMATE



STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
**DISCIPLINARY ACTION REPORT**

INMATE NAME	INSTITUTION	HOUSING UNIT	CUSTODY LEVEL	RULE VIOLATION
Crandall, John	WMCC	1B225B	C-1	# 11
REASON REFERRED	DOC NUMBER	ASSIGNMENT	TIME	DATE
Due to the seriousness of the violation	509202	L 27	9:45 P.M.	7-22-99
FINDINGS AND EVIDENCE RELIED ON	TIME	DATE		
	12:10 P.M.	7-27-99		

Subject signed Miranda rights and waiver of rights this date. Subject requested inmate counsel substitute David Updyg#506038 who was present at the hearing and requests no witnesses. John Crandall  
Atto 7 finds no findings due to technical error due to no time or date of interview on violation

arrival 7-31-97 1<sup>st</sup> COV in last 6 months

**RECOMMENDATION**  
No findings - return for re write and reinterview due to technical error

HEARING STAFF SIGNATURE J. Pemberton HM 06803 DATE 7/27/99

I HAVE BEEN INFORMED OF THE EVIDENCE RELIED ON AND THE FINDINGS AND RECOMMENDATIONS.

INMATE SIGNATURE John Crandall DOC NUMBER 509202 DATE 7-27-99 REFUSED TO SIGN ☐

**RECOMMENDED ACTION OF THE ASSOCIATE SUPERINTENDENT/UNIT MANAGER**

☒ RECOMMENDED AS SUBMITTED ☐ RECOMMENDED MODIFICATIONS

SIGNATURE [Signature] DATE 7/27/99

**ACTION OF SUPERINTENDENT/ASSOCIATE SUPERINTENDENT**

☒ APPROVED AS SUBMITTED ☐ APPROVED AS MODIFIED ☐ OTHER

SIGNATURE \_\_\_\_\_ DATE 7-27-99





STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
**CONDUCT VIOLATION REPORT**

NAME OF INSTITUTION <b>W.M.C.C.</b>	DATE <b>8-27-99</b>
--	------------------------

INMATE NAME <b>CRANDALL, JOHN H.</b>	REGISTER NUMBER <b>529202</b>	ASSIGNMENT <b>L27</b>	MO# <b>0225003</b>
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VIOLATION OF RULE  
**#11-Possession/Use of an Intoxicating Substance-Conspiring to Introduce Drugs**

AT <b>TIME 5:50</b> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. DAY <b>Monday</b>	DATE <b>6-14-99</b>	PLACE <b>WMCC off Site</b>	<b>into W.M.C.C.</b>
--	---------------------	----------------------------	----------------------

THE FOLLOWING EVENTS OCCURRED

While conducting routine phone monitoring on the DVL 2000 Voice Logger, a phone conversation was monitored between a Nicole and Griswold, Christopher #535305 and Susan Fulton and White, Clifford #520031 previously identified through conversations. They were discussing dropping off the drugs at Sutherland's in Canon. The women were to place the drugs under the couch and recycling bin and to grease it up good. The narcotics would be picked up by work release inmates on June 14, 1999.

Officer Rick Bashor arrived at the drop point and on the above date and approximate time apprehended the two inmates, John Crandall #529202 and William Grace #523665. Upon doing a pat search, Officer Bashor felt a bulge around the waist area of inmate Crandall which was later identified as the drugs. He immediately advised Investigator Singletary who contacted COI Brock Montemayor and COI Jonathan Riley to come out and take custody of the two work release inmates and conducted a thorough search of them.

The above action places inmates Crandall #529202 and Grace #523665 in violation of Rule #11 Possession/Use of an Intoxicating Substance, Conspiring to Possess Drugs, Conspiring to Introduce Drugs into a Penal Institution (WCC). This violation has been held up pending the complete investigation.

Note: The drop point at Sutherland's parking lot where inmates Crandall and Grace were was under video surveillance by Canon Police Department.

This violation resubmitted and reinterviewed due to technical error.

SIGNATURE OF REPORTING EMPLOYEE 	PRINT NAME <b>Cindy Singletary 35164</b>	TITLE <b>INV II</b>
-------------------------------------	---	------------------------

- |  |   |
|--|---|
| 1. You have the right to written notice of the alleged violation prior to a hearing. | 4. Witnesses may be allowed.  |
| 2. You have the right to a hearing.  | 5. You have the right to the written findings and decision.                                       |
| 3. You may be allowed to present documentary evidence at the hearing.                | 6. You have the right to appeal the decision as set forth in IS8-2.1 Inmate Grievance Procedures. |

REPORT OF JOINT INTERVIEW BY INTERVIEWING STAFF

TIME <b>1:40</b>	<input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. DATE <b>8-27-99</b>
---------------------	---

REPORTING STAFF AND INMATE JOINTLY INTERVIEWED  
INMATES STATEMENT: NO STATEMENT

TO BE SEEN BY UNIT TEAM AT A LATER DATE.

WITNESS REQUESTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF "YES", COMPLETE WITNESS REQUEST (MO 931-0259)	PRINT NAME OF INTERVIEWER AND TITLE <b>BROCK MONTMAYOR COIT</b>
---	--

I UNDERSTAND MY RIGHTS AND HAVE RECEIVED A COPY OF THIS CONDUCT VIOLATION REPORT.

INMATE SIGNATURE 	REGISTER NUMBER <b>529202</b>	SIGNATURE OF INTERVIEWER 	<b>COIT</b>
----------------------	----------------------------------	------------------------------	-------------

MO 931-0395 (3-92)

DISTRIBUTION: WHITE - ATTACH TO DISCIPLINARY ACTION REPORT; CANARY - INMATE





STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
DISCIPLINARY ACTION REPORT

INSTITUTION WMC	HOUSING UNIT 1B2250	CUSTODY LEVEL C-1	RULE VIOLATION #11
INMATE NAME Crandall, John	DOC NUMBER 525202	ASSIGNMENT C-27	REFERRED <input checked="" type="checkbox"/>
REASON REFERRED Due to the Seriousness of COV #11	TIME 9:20	DATE 9-2-99	INITIALS md
FINDINGS AND EVIDENCE RELIED ON		TIME 9:12	DATE 9-7-99

Subject signed Miranda rights and waiver of rights this date. Subject does not request any witnesses but does request inmate counsel substitute David Lloyd #506038 who was present. John Crandall

ATTN: Subject states "I'm glad this is over"

ATTN: finds subject ~~not guilty of the violation~~ ~~and recommends no findings~~ ~~and returns violation for re-write due to technical errors.~~

Subject withdraws request for inmate counsel substitute David Lloyd 506038 at this hearing for this time. John Crandall

Serial 7-31-97

2nd COV in 6 months

RECOMMENDATION

No findings - return for re-write due to technical errors on violation.

HEARING STAFF SIGNATURE <u>Lee Pemberton</u>	DATE 9/7/99
I HAVE BEEN INFORMED OF THE EVIDENCE RELIED ON AND THE FINDINGS AND RECOMMENDATIONS.	
INMATE SIGNATURE <u>John Crandall</u>	DOC NUMBER 525202
DATE 9-7-99	REFUSED TO SIGN <input type="checkbox"/>

RECOMMENDED ACTION OF THE ASSOCIATE SUPERINTENDENT/UNIT MANAGER

☒ RECOMMENDED AS SUBMITTED ☐ RECOMMENDED MODIFICATIONS

SIGNATURE <u>[Signature]</u>	DATE 9-7-99
---------------------------------	----------------

ACTION OF SUPERINTENDENT/ASSOCIATE SUPERINTENDENT

☒ APPROVED AS SUBMITTED ☐ APPROVED AS MODIFIED ☐ OTHER

SIGNATURE	DATE 9-7-99
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STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
**CONDUCT VIOLATION REPORT**

NAME OF INSTITUTION	DATE
WMCC	September 7, 1999
ASSIGNMENT	010 10A 002 13 00T

INMATE NAME	REGISTER NUMBER	ASSIGNMENT
CRANDALL, John H.	529202	3-03

VIOLATION OF RULE  
#11--Possession/Use of an Intoxicating Substance--Conspiring to Introduce Drugs into WMCC

AT	TIME	DAY	DATE	PLACE
	8:50	Monday	6-14-99	WMCC Off Site

THE FOLLOWING EVENTS OCCURRED This violation has been rewritten due to technical error.

While conducting routine phone monitoring on the DVL-2000 Voice Logger, a phone conversation was monitored between a Nicole and Griswold, Christopher #535305 and Susan Fulton and White, Clifford #520031 previously identified through conversations. They were discussing dropping off the drugs at Sutherland's in Cameron. The women were to place the drugs under the cardboard recycling bin and to grease it up good. The narcotics would be picked up by work release inmates on June 14, 1999.

Officer Rick Bashor arrived at the drop point and on the above date and approximate time apprehended the two inmates, John Crandall #529202 and William Groce #523665. Upon doing a pat search, Officer Bashor felt a bulge around the waist area of inmate Crandall which was later identified as the drugs. He immediately advised Investigator Singletary who contacted COII Brook Montemayor and COI Jonathan Pülley to come out and take custody of the two work release inmates and conduct a thorough search of them.

The above action places inmates Crandall #529202 and Groce #523665 in violation of Rule #11--Possession/Use of an Intoxicating Substance, Conspiring to Possess Drugs, Conspiring to Introduce Drugs into a Penal Institution (WMCC).

This violation has been held up pending the complete investigation.

NOTE: The drop point at Sutherland's parking lot where inmates Crandall and Groce were was under video surveillance by Cameron Police Department.

SIGNATURE OF REPORTING EMPLOYEE	PRINT NAME	TITLE
<i>Craig Singletary</i> 35164	Craig Singletary 35164	INV II

- |  |   |
|--|---|
| 1. You have the right to written notice of the alleged violation prior to a hearing. | 4. Witnesses may be allowed.  |
| 2. You have the right to a hearing.  | 5. You have the right to the written findings and decision.                                       |
| 3. You may be allowed to present documentary evidence at the hearing.                | 6. You have the right to appeal the decision as set forth in IS8-2.1 Inmate Grievance Procedures. |

**REPORT OF JOINT INTERVIEW BY INTERVIEWING STAFF**

TIME	DATE
2:12	9-9-99

*INMATE AND REPORTING STAFF JOINTLY INTERVIEWED.*  
*INMATE STATEMENT: NO STATEMENT*

WITNESS REQUESTED	PRINT NAME OF INTERVIEWER AND TITLE
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF "YES", COMPLETE WITNESS REQUEST (MO 931-0259)	<i>LARRY LONIS COII 24504</i>

I UNDERSTAND MY RIGHTS AND HAVE RECEIVED A COPY OF THIS CONDUCT VIOLATION REPORT.	
INMATE SIGNATURE	SIGNATURE OF INTERVIEWER
<i>John Crandall</i>	<i>Larry Lonis</i>

MO 931-0395 (3-92)

DISTRIBUTION: WHITE - ATTACH TO DISCIPLINARY ACTION REPORT; CANARY - INMATE



STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
**DISCIPLINARY ACTION REPORT**

INSTITUTION WMCC	HOUSING UNIT 1B2256	CUSTODY LEVEL C-1	RULE VIOLATION #11
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INMATE NAME Crandall, John	DOC NUMBER 329202	ASSIGNMENT L-27	REFERRED <input checked="" type="checkbox"/>	INITIALS AMA
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REASON REFERRED Subject Referred, Due to the Seriousness of CD	TIME 9:20	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	DATE 9-10-99
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FINDINGS AND EVIDENCE RELIED ON ▶	TIME 11:20	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	DATE 9/14/99
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Subject signed the Miranda, waiver of rights and signed the waiver of rights. Subject's legal counsel David Lloyd was present for the hearing. Subject requested no new witnesses and presents no documentary evidence.

Subject states: "The drugs were found in the van by Officer Rector. There was nothing on me. I am not guilty of this."

Findings: Guilty

Evidence: Inmate's statement in the conduct violation that Officer Rector felt a bulge around the waist area of inmate Crandall which was hidden as drugs. Inmate Crandall was on work release working Sutherland's parking lot. The subject is in violation of CD #11 possession/use of an intoxicant. Conspiracy to possess drugs, conspiring to introduce drugs into a penal institution (WMCC).  
arrived at WMCC 7/31/97 3rd CDU in 11 months

**RECOMMENDATION**

- 1) Refer to the Administrative Segregation Committee for review
- 2) Refer to institutional parole officer for possible extension of release on hearing date.
- 3) Refer no contact visiting beginning 9/14/99 to 9/13/2000
- 4) Refer restriction from premium pay beginning 9/14/99 to 9/13/2000.
- 5) Refer to substance abuse program
- 6) Refer to behavioral unit for possible prosecution

HEARING STATE SIGNATURE Jessica Pierce	DATE 9/14/99
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I HAVE BEEN INFORMED OF THE EVIDENCE RELIED ON AND THE FINDINGS AND RECOMMENDATIONS. Inmate Signature: [Signature] 41790	DOC NUMBER	DATE	REFUSED TO SIGN [Signature] 41790
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**RECOMMENDED ACTION OF THE ASSOCIATE SUPERINTENDENT/UNIT MANAGER**

- ☒ RECOMMENDED AS SUBMITTED    ☐ RECOMMENDED MODIFICATIONS

SIGNATURE Beaver act ASTM	DATE 9-14-99
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**ACTION OF SUPERINTENDENT/ASSOCIATE SUPERINTENDENT**

- ☒ APPROVED AS SUBMITTED    ☐ APPROVED AS MODIFIED    ☐ OTHER

SIGNATURE	DATE 9-14-99
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MISSOURI STATE HIGHWAY PATROL  
CRIME LABORATORY DIVISION  
An ASCLD Accredited Laboratory  
Forensic Laboratory Report



Lab Number: HL-024937  
Date Rec'd: 07-21-1999  
Time Rec'd: 1045

Received From: Police Department  
Telephone #: 816-632-6521  
Location: Cameron, Mo Date of Crime: 06-14-1999  
Type of Crime: Drug Violation  
Delivered By: Officer Don Fritz  
Agency Report #: 99060394 Agency Related Report #:       
Container(s): 1 (s) plastic bag  
Type of Examination(s): Marihuana  
\*\*\*\*\* (Names and possible association to case) \*\*\*\*\*  
Crandall, John

\*\*\*\*\* (Description of Evidence) \*\*\*\*\*

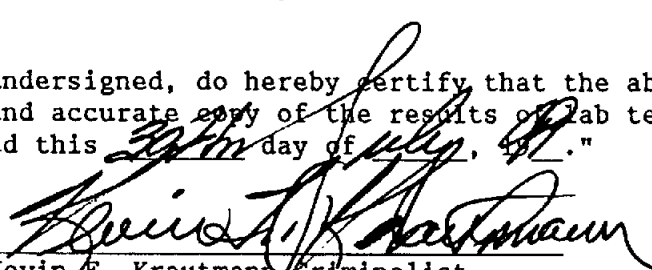
1. One sealed plastic bag containing three black-taped cylinders each containing paper towels.

DRUG EXAMINATIONS BY KEVIN F. KRAUTMANN

The cylinders in specimen #1 fail to reveal controlled substances.

"The undersigned, do hereby certify that the above and foregoing is a true and accurate copy of the results of lab tests conducted."

"Signed this 21st day of July, 1999."

  
Kevin F. Krautmann, Criminalist

PLEASE REFER TO THE ABOVE MISSOURI STATE HIGHWAY PATROL CRIMINAL LABORATORY NUMBER FOR ALL CORRESPONDENCE AND SUBPOENA INFORMATION REGARDING THIS CASE.

The specimen(s) submitted should be picked up as soon as possible.

KFK:dad



STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
BOARD OF PROBATION AND PAROLE

Page - 1  
Date - 06/16/98

*Inmate Copy*

Name JOHN H CRANDALL  
Number 529202  
Institution/Housing Unit WMCC/005  
Minimum Mandatory Release Date \_\_\_\_\_

RELATING TO RELEASE CONSIDERATION

- ☐ 1. You have been scheduled for a parole hearing \_\_\_\_\_.
- ☐ 2. At your request, your case has been closed to further parole consideration.
- ☐ 3. You have been given parole consideration in a parole hearing \_\_\_\_\_. You will be scheduled for a reconsideration hearing \_\_\_\_\_.
- ☒ 4. You have been scheduled for release from confinement on 05/21/2000.

Actual release depends upon continued record of good conduct and an acceptable release plan. The release decision is:

☒ Guideline      ☐ Below Guideline      ☐ Above Guideline

Special Conditions of release are:

CRC Work Release, No Drinking, Other Special Condition, Substance Abuse Program-

Strategy Stipulation Date: \_\_\_\_\_

- ☐ 5. Your previously set release date has been cancelled.
- ☐ 6. Your conditional release date has been extended to \_\_\_\_\_.
- ☐ 7. The Board has reviewed your appeal. It is the decision of the Board to \_\_\_\_\_ your appeal.
- ☐ 8. You have been scheduled for a Conditional Release Extension hearing on \_\_\_\_\_.

The reasons for the action taken are:

\*GAMBLER'S ANONYMOUS.

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STATE OF MISSOURI  
DEPARTMENT OF CORRECTIONS  
BOARD OF PROBATION AND PAROLE

Page - 1  
Date - 10/14/99

Name JOHN H CRANDALL  
Number 529202  
Institution/Housing Unit MCC/002A-323 *DNR*  
Minimum Mandatory Release Date N/A

RELATING TO RELEASE CONSIDERATION

- ☐ 1. You have been scheduled for a parole hearing \_\_\_\_\_.
- ☐ 2. At your request, your case has been closed to further parole consideration.
- ☐ 3. You have been given parole consideration in a parole hearing \_\_\_\_\_. You will be scheduled for a reconsideration hearing \_\_\_\_\_.
- ☒ 4. You have been scheduled for release from confinement on 02/21/2002.

Actual release depends upon continued record of good conduct and an acceptable release plan. The release decision is:

Guideline                      Below Guideline                      Above Guideline

Special Conditions of release are:

CRC Treatment Program, No Drinking,  
Other Special Condition, Substance Abuse Program

Strategy Stipulation Date: \_\_\_\_\_

- ☒ 5. Your previously set release date has been cancelled.
- ☐ 6. Your conditional release date has been extended to \_\_\_\_\_.
- ☐ 7. The Board has reviewed your appeal. It is the decision of the Board to \_\_\_\_\_ your appeal.
- ☐ 8. You have been scheduled for a Conditional Release Extension hearing on \_\_\_\_\_.

The reasons for the action taken are:

File Review

Presumptive Release Date Extended

Change in Special Conditions/Strategies

There does not appear to be a reasonable probability at this time that you would live and remain at liberty without again violating the law based upon the following:

Bail set at \$ 25,000 by Judge

WARRANT FOR ARREST

*CR600-602F*

State of Missouri )  
County of ColeDeKalb ) ss.

OCN \_\_\_\_\_

IN THE CIRCUIT COURT, DIVISION III WITHIN AND FOR SAID COUNTY

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:  
The court, having found probable cause, hereby commands you to arrest

JOHN H. CRANDALL  
609 East Pence Road  
Cameron, MO 64429  
SSN: 046-72-2323 DOB: 08/25/65 INMATE NO:  
Male White 5'9" 200

who is charged with ATTEMPT TO COMMIT THE OFFENSE OF POSSESSION OF  
A CONTROLLED SUBSTANCE, as per attached COMPLAINT,

alleged to have been committed within the jurisdiction of this court and in violation of the laws of  
the State of Missouri, and to bring him/her forthwith before this court to be here dealt with in  
accordance with law; and you, the officer serving this warrant, shall forthwith make return hereof  
to this court.

WITNESS THE HONORABLE WARREN L McELWAIN, Judge of the said  
court and the seal thereof, issued in the county and state aforesaid on this 27<sup>th</sup> day of  
July, 2000.

Warren L McElwain  
Judge

Bond set at \$ 25,000 (warr)

**RETURN:**

Served the within warrant in my County of \_\_\_\_\_, and in the State of  
Missouri on this \_\_\_\_\_ day of \_\_\_\_\_, by arresting the within named John H.  
Crandall, and producing him/her before the said court on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

Fees \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

AKPDET  
Time 13:33:32

Missouri Department of Corrections  
DETAINER/DETAINER WITHDRAWN

Page - 1  
Date - 9/13/01

Institution: MOBERLY CORRECTIONAL CENTER

Date: 08/04/2000

To: CRANDALL, JOHN H.  
Detainer Type: Missouri

Assigned: MCC

DOC ID: 00529202

Detainer Special Information or Comments

WARRANT NO. CR600-682F ATTEMPT TO COMMIT THE OFFENSE OF POSSESSION OF A  
CONTROLLED SUBSTANCE  
SHERIFF DEKALB COUNTY

Detainer Interview Date: 08/10/2000

Detainer Withdrawn Date & Reason: 09/13/2001 DISMISSED

DETAINER, HERETOFORE PLACED AGAINST THE ABOVE NAMED INMATE IN FAVOR OF

Law Agency: DEKALB COUNTY SHERIFF'S DEPARTMENT

Authority: BRAD MEFFORD

Title: SHERIFF

Phone Number: 816-449-5802 Fax:

Ext:

Address: DEKALB COUNTY COURTHOUSE

P.O. BOX 317

City: MAYSVILLE

State: MO Zip Code: 64469

County: DEKALB

EFFECTIVE DATE: 09/13/2001 IS WITHDRAWN

RECORDS OFFICER SIGNATURE

DATE

*Guy Thomas*

*9-13-01*

Original: S & J

CC: CO Parole Office Via IPO  
Class File  
Inmate  
Unit

*Tina*

*Prentzler  
white side*